



SO ORDERED

George B. Daniels

MICHAEL A. CARDOZO
Corporation CounselTHE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007JUL 09 2007 JORDAN M. SMITH
(212) 788-0869
fax: (212) 788-9776
jsmith@law.nyc.gov

Honorable George B. Daniels
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 630
New York, NY 10007

Re: Darren Gholson v. City of New York, et al.
07-CV-5894 (GBD)

Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of the above-referenced federal civil rights lawsuit. I respectfully write to request a thirty-day enlargement of defendant City of New York's time to answer or otherwise respond to the complaint from July 12, 2007, to August 13, 2007. Plaintiff's counsel, Winston Rouse, Esq., consents to this request.

There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. In this case, plaintiff alleges he was assaulted by New York City correction officers at the Vernon C. Bain Center in Bronx, New York, on November 15, 2006. He alleges he suffered, *inter alia*, fractured ribs and a broken nasal bone and that he was transported to Bellevue Hospital for further treatment. Therefore, this office is in the process of forwarding to plaintiff's counsel for execution a consent and authorization for the release of medical records so that defendant assess the extent of plaintiffs' alleged physical or psychological injuries. Plaintiff alleges in an affidavit annexed to his complaint that he made a complaint to the Department of Correction's Inspector General's office. Accordingly, we are in the process of determining if this is accurate and, if so, obtaining the Inspector General's file concerning this matter, as well as any other records of the incident. A thirty-day extension of time will give this office adequate time to obtain the records and respond to the complaint.

Returned to chambers for scanning on 7/11/07

Scanned by chambers on _____

No previous request for an enlargement of time to respond to the complaint has been made. Accordingly, it is respectfully requested that defendant City of New York's time to answer or otherwise respond to the complaint be enlarged from July 12, 2007, to August 13, 2007.

Thank you for your consideration of this request.

Respectfully submitted,



cc: Winston B. Rouse, Esq.
(by fax to (718) 588-8958)